

No. 5:95-CR-149-1H  
No. 5:12-CV-417-H

Respondent.

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is a successive § 2255 motion, this court is without jurisdiction to consider it. See 28 U.S.C. § 2255(h) ("A second or successive motion must be certified . . . by a panel of the appropriate court of appeals . . .").

Finding no substantial issue for appeal concerning the denial of a constitutional right, see 28 U.S.C. § 2253(c)(2), a certificate of appealability is DENIED.

This 30<sup>th</sup> day of April 2013.



MALCOLM J. HOWARD

Senior United States District Judge

At Greenville, NC  
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